

EXHIBIT F

ORIGINAL

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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MARK T. DUBLINO

Plaintiff

-vs-

SGT. JUSTIN BIEGAJ, SGT. ROBERT DEE,
DEPUTY BRIAN THOMPSON, DEPUTY FRANK
GELSTER, SGT. MR. CROSS, SGT. MR. ROBINSON,
DEPUTY MR. P. GIARDINA, DEPUTY SHAWN WILSON

Defendants
----- X

Civil Action No. 6:19-cv-6269-DGL

Deposition of PETER GIARDINA taken pursuant to
notice via videoconference on Friday, June 11, 2021
commencing at 11:29 a.m.

Reported by:

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Peter Giardina

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(No exhibits marked.)

1 P. Giardina - Examination by Mr. Modica

2 PETER GIARDINA

3 called herein as a witness, being duly sworn,
4 testified as follows:

5 EXAMINATION BY MR. MODICA:

6 Q. Good morning. As I mentioned, my name is
7 Steve Modica. I am pro bono counsel for Mr. Dublino.

8 I'm going to ask you a series of questions. I
9 would please ask you to answer those to the best of
10 your ability.

11 If you don't understand the question please feel
12 free to ask me to rephrase it.

13 Because this medium is a little bit awkward it's
14 real important that I wait until you're done answering
15 before I speak again and visa versa and it usually
16 works out pretty well if we do that.

17 Is that acceptable to you?

18 A. Yes.

19 Q. Can you tell me first to start so I pronounce
20 it properly how do you pronounce your last name?

21 A. Giardina.

22 Q. And I'm Italian. I shouldn't have any
23 difficulty with that, but in case I do I apologize.

24 A. All right.

25 Q. Deputy Giardina, you are currently employed

1 P. Giardina - Examination by Mr. Modica
2 by the Jail Management Division of the Erie County
3 Sheriff's Office?

4 A. Yes, I am.

5 Q. How long have you been so employed?

6 A. It will be six years in September.

7 Q. During 2018 did you work for them?

8 A. Yes, I did.

9 Q. And did you work at the Erie County Holding
10 Center for them in 2018?

11 A. Yes, I did.

12 Q. Were you working at the Erie County Holding
13 Center on the morning of March 9th of 2018?

14 A. Yes, I was.

15 Q. If you recall what was your assignment that
16 day?

17 A. I believe I was an escort that day.

18 Q. And would you tell me generally what is
19 involved as an escort?

20 A. Yes. It would be just moving individuals
21 throughout the building to different places throughout
22 the day to visits, to courts, stuff like that.

23 Q. And, again, this would be escorting inmates
24 or jail personnel or both?

25 A. Inmates.

1 P. Giardina - Examination by Mr. Modica

2 Q. Inmates, okay.

3 As best as you can recall did you have any
4 interactions with inmate Dublino before March 9th of
5 2018?

6 A. I did work a housing unit he was on multiple
7 times prior to that date.

8 Q. Any interactions with him that stand out in
9 your head positive or negative, again, before March 9th
10 of 2018?

11 A. No.

12 Q. And obviously you had some interaction with
13 him on March 9th of 2018; is that correct?

14 A. Correct.

15 Q. And there's a video of at least part of your
16 interaction with inmate Dublino on that day. Is that a
17 video that you've seen?

18 A. No, I have not.

19 Q. So I've got that video here today. It's
20 marked as Deposition Exhibit A and I'd like to show you
21 that video just so you have an opportunity to take a
22 look at it.

23 Particularly, obviously, I want to focus on you and
24 what would be most helpful once I get it started is if
25 you could stop me as soon as you come into view.

1 P. Giardina - Examination by Mr. Modica

2 Okay?

3 A. Okay.

4 Q. All right. So, Deputy Giardina, do you see
5 on the screen what appears to be a video with four
6 boxes in it?

7 A. Yes.

8 Q. And just for some contact detail I'll tell
9 you this was a video produced by the county and as you
10 probably see from the markings it involves a date of
11 March 9th of 2018 at various moments starting with
12 10:22:14.506 seconds that morning.

13 Do you see that?

14 A. Yes.

15 Q. Okay. All right. So I'm going to play the
16 video. Again, please stop me if and when you see
17 yourself.

18 Again, is this large enough? This is as big a
19 screen as I have. Are you able to see it okay?

20 A. Yeah.

21 Q. If you want at any point to move it back,
22 stop it, go forward, don't hesitate just letting me
23 know.

24 Okay. I'm going to start it now.

25 (Deposition Exhibit A played.)

1 P. Giardina - Examination by Mr. Modica

2 Q. Okay. Have you seen yourself so far?

3 A. I don't think so.

4 Q. I didn't think so either, but you know you
5 better than me.

6 (Deposition Exhibit A played.)

7 Q. All right. I paused the video. If you look
8 at the box on the top left entitled Alpha Hallway - I
9 stopped the video at 10:23:44.796 seconds - there's a
10 gentleman -- there appears to be three gentlemen in the
11 hallway.

12 The gentleman on the right with a shaved head, is
13 that you, sir?

14 A. I believe so, yes.

15 Q. And I'll continue to play it. If at any time
16 you see it and you think it's not you, please let me
17 know.

18 It looks to me like it is you, but I'll resume the
19 video.

20 A. Okay.

21 (Deposition Exhibit A played.)

22 Q. I stopped it again for a little closer look
23 at 10:23:47.098 seconds where the individuals in the
24 middle of the screen are a little bit closer to see.

25 Is that you, Deputy Giardina?

1 P. Giardina - Examination by Mr. Modica

2 A. Yes.

3 Q. We'll continue to play the video. I may stop
4 and ask you some questions along the way.

5 A. Okay.

6 Q. Thanks.

7 (Deposition Exhibit A played.)

8 Q. Now, I want to direct you to the box on the
9 upper right entitled Attorney Visit Room A at
10 10:23:56.922 seconds.

11 Is that you toward the middle of the screen towards
12 the back?

13 We can see directly on and you're toward the back
14 of the group; is that fair?

15 A. Yes.

16 Q. All right. I'm going to run the video again.

17 (Deposition Exhibit A played.)

18 Q. So I stopped the video again. In the same
19 box Attorney Visit Room A it appears someone was
20 escorting Mr. Dublino on his feet and you came to the
21 side.

22 First of all, do you remember anything about that
23 interaction?

24 A. Not really other than just him being walked
25 out.

1 P. Giardina - Examination by Mr. Modica

2 Q. At the time that I paused the screen here do
3 you recognize the deputy who is escorting inmate
4 Dublino?

5 A. I do.

6 Q. Could you tell us who that is?

7 A. That would be Deputy Frank Gelster.

8 Q. And, again, in the screen shot that I've got
9 here at 10:24:04.029 seconds it looks like Deputy
10 Gelster has his back to us in the middle of the picture
11 with inmate Dublino on his left in the orange gear and
12 you to his -- in front of him slightly to his right; is
13 that correct?

14 A. Correct.

15 Q. At that point do you have -- do you know
16 where your hands are at that point?

17 A. At that point they -- I believe they're at my
18 side.

19 Q. I'm going to resume the video.

20 (Deposition Exhibit A was played.)

21 Q. Okay. I've paused the video. I'd like you
22 to focus on the box that says Attorney Visit Sallyport
23 at the left bottom side of the screen.

24 I've paused it at 10:24:36.442 seconds. It appears
25 to show inmate Dublino in the orange; is that correct?

1 P. Giardina - Examination by Mr. Modica

2 A. Correct.

3 Q. And can you tell me if you know who is
4 immediately behind him?

5 A. That would be me.

6 Q. That would be you, okay.

7 And can you tell - I know it's not that easy to
8 see - if you have your hands on him in any way there?

9 A. I believe at that point I have my left hand
10 on his elbow and my right hand on his hand.

11 Q. And the gentleman here to inmate Dublino's
12 immediate right, does that continue to be Deputy
13 Gelster?

14 A. Correct.

15 Q. And the other gentleman in the picture at the
16 back of the picture so to speak to your right, do you
17 know who that is?

18 A. I believe so, yes.

19 Q. Okay. Tell us who you believe it is.

20 A. Deputy Scarpace.

21 Q. And, again, any recollection as to where
22 you're going -- fair to say the video showed you in the
23 hallway outside the attorney conference room and then
24 you left that hallway with inmate Dublino and Deputy
25 Gelster and you're in the sallyport area?

1 P. Giardina - Examination by Mr. Modica

2 Do you recall where you were headed?

3 A. At that point we were headed up to medical
4 for evaluation.

5 Q. And is that something -- after a physical
6 altercation is it standard operating procedure to have
7 a person involved evaluated by medical?

8 A. Yes, it is.

9 Q. All right. I'm going to continue the video
10 and if anything you told me so far conflicts with what
11 you're seeing let me know and I will run it back as
12 well.

13 (Deposition Exhibit A was played.)

14 Q. Same thing just to show you again if it helps
15 with your hands.

16 So I've stopped the video relative to the alpha
17 hallway top left at 10:23:39.756 seconds. This is not
18 in color.

19 I think we can clearly see inmate Dublino and is it
20 fair to say on his left is where you continue to be?

21 A. Correct.

22 Q. And on inmate Dublino's right continues to be
23 Deputy Gelster?

24 A. Correct.

25 Q. And can you see whether you have your hands

1 P. Giardina - Examination by Mr. Modica
2 on inmate Dublino?

3 A. Yes. My left hand, it looks like it's on his
4 elbow bicep area.

5 Q. What was the purpose for having your hands on
6 him at that point?

7 A. That would be standard procedure for
8 escorting to maintain control for walking through the
9 hallways especially after an incident where there's,
10 you know, an assault or whatever on somebody.

11 Q. Sure. And let me take you at least through
12 from the time you first arrived in the hallway and
13 through the attorney sallyport until this point at
14 least where we stopped the video.

15 Did you see inmate Dublino resist any orders of you
16 or anybody else?

17 A. Not to my knowledge. I --

18 Q. Did you want to say something else?

19 A. I'm trying to remember back. I don't
20 remember any kind of real resistance or anything like
21 that at that point.

22 Q. Okay. I'm going to resume the video.
23 (Deposition Exhibit A played.)

24 Q. Okay. I've paused it again.
25 I'm focused on the alpha hallway box at

1 P. Giardina - Examination by Mr. Modica

2 10:24:47.163 seconds. It looks like you and inmate
3 Dublino and others have kind of exited toward the left.

4 There was some testimony there are elevators there.

5 A. Correct, there is.

6 Q. Is that the path that one would go if one
7 were going to medical?

8 A. Yes, it is.

9 Q. And do you recall whether you got in the
10 elevator with inmate Dublino and Deputy Gelster to go
11 to medical?

12 A. I believe I did, yes.

13 Q. Do you recall whether there was anyone else
14 in the elevator when you did that?

15 A. I don't recall.

16 Q. I'm going to resume the video.

17 (Deposition Exhibit A played.)

18 Q. I'm going to let it play through, but my
19 understanding is you are not visible in any other part
20 of this video, but I'll play it out and if that's not
21 correct you let me know.

22 (Deposition Exhibit A played.)

23 Q. Okay. The video is complete.

24 Deputy Giardina, did you see yourself at any point
25 from the last point until now?

1 P. Giardina - Examination by Mr. Modica

2 A. No, I did not.

3 Q. Okay. I appreciate your patience while we
4 went through that.

5 So is that the first time you've seen this video?

6 A. Yes.

7 Q. Do you have any reason to think it's not
8 complete or accurate?

9 A. No.

10 Q. Initially how is it that you came to respond
11 to the area of attorney conference room 3 on March 9th
12 of 2018?

13 A. I came up I believe from the ground floor
14 into that attorney room.

15 Q. And how did you know to go to that area?

16 A. Because it was called over the radio 10-99
17 attorney -- I don't know if they called the actual
18 room, but I knew to go to the attorney area.

19 Q. Generally, what is a 10-99 call?

20 A. It would be an assault on any kind of staff
21 member or civilian that's in the building.

22 Q. And at least at that point - again, March 9th
23 of 2018 - what was your understanding of your
24 responsibility if anyone -- if you heard a 10-99 call?

25 A. My -- I was I believe immediate response. So

1 P. Giardina - Examination by Mr. Modica

2 I would go and secure the area that I have, to cover
3 the inmate at that point and make sure the area is safe
4 before more response came.

5 Q. When you got to the area of the attorney
6 conference room as we show in the video do you recall
7 whether inmate Dublino said anything at that point?

8 A. I do not recall him saying anything.

9 Q. Any recollection as to whether he resisted
10 any orders by you or anyone else at that point?

11 A. Not that I'm aware of.

12 I mean, obviously after an altercation like that, I
13 mean, there could be, you know, a little bit of him
14 just like pulling away from amped up-ness, something
15 like that, but nothing that I recall of real aggression
16 or anything like that.

17 Q. Based on the video - and we can go back to it
18 if you want to look at it - it appeared to me inmate
19 Dublino was handcuffed before you got involved; is that
20 your recollection?

21 A. Yes.

22 Q. So it would be your testimony that you didn't
23 put handcuffs on him at least in the hallway outside
24 the attorney conference room area on March 9th of 2018?

25 A. Not in the hallway.

1 P. Giardina - Examination by Mr. Modica

2 Q. Now, to your knowledge, Deputy, is there a
3 standard operating procedure as to how someone is
4 supposed to be handcuffed?

5 A. I guess if you had all the time you would
6 want to cuff him with keyholes out and double locks up
7 so you can get easy access at him under normal
8 circumstances where everything is, you know, going
9 smooth.

10 Q. All right. Okay. So let me make sure that I
11 understand that.

12 So first is it correct you would want the person to
13 have their hands behind their back?

14 A. Correct.

15 Q. And when they have their hands behind their
16 back are you describing a procedure where their palms
17 would be facing away from the center of their body or
18 towards the center of their body?

19 A. It would be towards the center of their body.

20 Q. So let me just clarify because we had a
21 little bit of different testimony on that.

22 So if you think about it -- I can't really show you
23 unfortunately, but if you put your hands behind your
24 back and your palms are facing out from the center that
25 means palms are facing away from your body.

1 P. Giardina - Examination by Mr. Modica

2 A. Yes. You would want your thumbs together
3 towards the center, palms facing -- I guess the most
4 comfortable way would be with the palms facing out.

5 Q. Out. Away from the center of the body as
6 opposed to inside?

7 A. Correct.

8 Q. Are there times when somebody is reversed
9 cuffed where the hands are behind the back and palms
10 are facing the center of the body?

11 A. I'm sure there's been cases of that, yes.

12 Q. Now, at any point when you arrived in the
13 hallway outside the conference room on March 9th of
14 2018 did you hear the alleged victim Attorney Terranova
15 say anything?

16 A. No.

17 Q. And other than what was depicted on the video
18 which was you having your hands on inmate Dublino's
19 left arm in the hallway, did you have any other
20 physical contact with him that wasn't shown in the
21 video?

22 A. No.

23 Q. We'll talk a little bit about the trip to the
24 infirmary in a moment, but there are a number of people
25 who were sued in this case and who were part of the

1 P. Giardina - Examination by Mr. Modica
2 response team you probably saw in the video and I'm
3 going to ask you about the allegations my client has
4 made and whether you saw any of that.

5 So fair to say that Deputy Brian Thompson was among
6 the folks as part of that response team?

7 A. Yes.

8 Q. Okay. And also fair to say that Deputy
9 Thompson had K-9 responsibility on that day, that
10 morning?

11 A. Correct, yes.

12 Q. Do you recall whether you saw the K-9 he was
13 handling that morning? I believe the dog's name is
14 Bili.

15 A. I did not.

16 Q. Did you see as part of the response team that
17 day Sergeant Justin Biegaj?

18 A. I may have. It's not like sticking out that
19 I had talked to him at all at any point in the matter.
20 I don't recall.

21 Q. Nothing, again, stands out as to whether he
22 was there or what if anything he did?

23 A. Right, yeah -- no.

24 Q. How about Sergeant Robert Dee?

25 A. No. I don't remember having any talks with

1 P. Giardina - Examination by Mr. Modica

2 Dee during that either.

3 Q. How about Deputy Shawn Wilson?

4 A. No.

5 Q. No, he wasn't there or no, you just don't
6 recall whether he was or not?

7 A. I don't recall if he was there or not.

8 Q. Understood.

9 Can you tell me relative to handcuffing is there
10 for lack of a better word a typical time that it would
11 take to handcuff someone?

12 A. I couldn't come up with an exact time. I
13 mean, it could range from I guess, you know, somewhat
14 quick to -- if you're wrestling it could take, you
15 know, a minute, two minutes.

16 It all depends on the situation, what's going on.

17 Q. Understood. Tell me was Sergeant Matthew
18 Cross among the folks that were part of the response
19 team?

20 A. I did see him in the video, yes.

21 Q. And inmate Dublino has alleged that Sergeant
22 Cross stood directly over him and stomped with his legs
23 on inmate Dublino, on his legs and feet.

24 Did you see anything like that in the hallway?

25 A. No.

1 P. Giardina - Examination by Mr. Modica

2 Q. Do you recall whether Sergeant Jack Robinson
3 was part of the response team?

4 A. I do.

5 Q. Was he?

6 A. Yes.

7 Q. And then obviously you were as well and you
8 mentioned earlier Deputy Gelster as well, correct?

9 A. Correct.

10 Q. And tell me on the way to the infirmary
11 inmate Dublino alleges that Sergeant Robinson ordered
12 you and Deputy Gelster to wrench his arm.

13 Can you comment on that allegation?

14 A. I've never heard that from Sergeant Robinson.

15 Q. Do you recall Sergeant Robinson giving you
16 and/or Deputy Gelster any instructions as you were
17 walking with inmate Dublino to the infirmary after the
18 altercation in the attorney conference room?

19 A. No.

20 Q. Do you recall at any point while you were
21 walking to the infirmary adjusting or otherwise moving
22 inmate Dublino's arms from -- you know, from where they
23 started?

24 A. No.

25 Q. If you recall, other than yourself and Deputy

1 P. Giardina - Examination by Mr. Modica

2 Gelster, did anyone else accompany inmate Dublino to
3 the infirmary?

4 A. I do not recall who was in the infirmary.

5 Q. And do you recall if inmate Dublino was
6 examined by anybody at the infirmary after you
7 accompanied him there?

8 A. Yes. He was examined. I don't know who
9 examined him, but he was examined by the medical staff.

10 Q. Do you know whether also he was photographed
11 in any way?

12 A. I don't know, but it is pretty much pretty
13 standard procedure that they do take photos so I'm
14 assuming that they did.

15 Q. Okay. I've got some photos I want to show
16 you so just bear with me.

17 So I'm bringing up what we've previously marked as
18 Exhibit D. Do you recognize that photograph?

19 A. I do.

20 Q. Tell us what it is.

21 A. It's a photo of myself, Deputy Gelster and
22 inmate Dublino. It looks to be in the medical room.

23 Q. When you say "the medical room," that would
24 be the medical room of the Erie County Holding Center?

25 A. Correct. There's multiple rooms. I don't

1 P. Giardina - Examination by Mr. Modica

2 recall exactly what room we were in, but it's one of
3 the medical rooms.

4 Q. Is it fair to say -- just to be clear, we
5 have inmate Dublino in the center of the photo?

6 A. Correct.

7 Q. And Deputy Gelster to the left of the photo
8 on the right side of inmate Dublino?

9 A. Correct.

10 Q. And fair to say that you're on the right side
11 of the photo, the left side of inmate Dublino?

12 A. Correct.

13 Q. And there appears to be a timestamp for the
14 photo on the bottom. I don't know if you can see that.
15 It says 3/9/2018, 11:37.

16 A. Right.

17 Q. Does that help you indicate -- does that tell
18 you when this photo was taken?

19 A. I'm assuming, yeah, at 11:37 on 3/9.

20 Q. And this showing inmate Dublino, the front of
21 him, do you know at that point whether he's got
22 handcuffs on?

23 A. I believe so. I'm not a hundred percent
24 sure, but I would believe that they're on at that
25 point.

1 P. Giardina - Examination by Mr. Modica

2 Q. Certainly the photo doesn't tell us one way
3 or another, right?

4 Isn't that correct?

5 A. Yes.

6 Q. All right. I want to show you what we've
7 marked as Deposition Exhibit E. Do you recognize that
8 picture?

9 A. I do.

10 Q. Can you describe that picture to us please?

11 A. It would be inmate Dublino in the center,
12 myself on the right hand side or behind him on the left
13 and Deputy Gelster on the left hand side.

14 Q. It looks like it's a left hand side profile
15 of inmate Dublino. Is that fair?

16 A. Yes.

17 Q. And I can't tell for sure, but it appears to
18 me at least he's wincing in some capacity. Do you
19 remember any of the circumstances surrounding taking
20 this picture?

21 A. I do not.

22 Q. Do you remember whether he complained of pain
23 when these photos were taken?

24 A. I don't recall him complaining of any -- you
25 know, any specific pain or --

1 P. Giardina - Examination by Mr. Modica

2 Q. My previous question was addressed to whether
3 he expressed pain at the time of the photos.

4 At any time during your interaction with inmate
5 Dublino on March 9th of 2018 did he complain of any
6 pain?

7 A. I can't recall to be honest.

8 Q. I'd like to show you another photo. This one
9 has been previously marked as Deposition Exhibit F. Do
10 you recognize that photo?

11 A. I do.

12 Q. Okay. Would you describe it please?

13 A. Inmate Dublino in the center, myself on the
14 ride hand side, Deputy Gelster on the left and it
15 appears to be like a right face profile picture.

16 Q. And from this photo can you tell whether you
17 and/or Deputy Gelster have your hands on inmate
18 Dublino?

19 A. It looks like I have my hand up on his --
20 towards his left elbow bicep area and Deputy Gelster
21 has around the right elbow area.

22 Q. And, again, we can't tell from this picture
23 whether he was handcuffed; is that right?

24 A. Correct.

25 Q. Typically in circumstances where you have

1 P. Giardina - Examination by Mr. Modica
2 accompanied someone to be handcuffed - I'm sorry -
3 accompanied someone to be photographed, do they
4 continue to be handcuffed or are the handcuffs taken
5 off or does it depend?

6 A. It all depends on what they're examining at
7 that point.

8 They always start with handcuffs on. If there was
9 hand pain or something where they need to get at the
10 wrist they may uncuff him so medical can do their
11 examination on them.

12 Q. I understand. All right. Also I'm going to
13 show you what's been marked as Deposition Exhibit G.
14 Do you recognize that photo?

15 A. Yes.

16 Q. What does that photo show?

17 A. I'm assuming that is inmate Dublino. I can't
18 see a face shot, but it would be a picture of his hands
19 and the wristband saying it's inmate Dublino.

20 Q. I know it's difficult for you to see. I'll
21 represent to you that the band has a picture of inmate
22 Dublino and actually here it says Mark Dublino or at
23 least it says Mark, and this was a picture produced by
24 the County. I'm not trying to be cute here.

25 If you see at the right hand there is a mark in the

1 P. Giardina - Examination by Mr. Modica

2 center. Do you remember anything about the condition
3 of his hands when you interacted with him on March 9th
4 of 2018?

5 A. I do not.

6 Q. Do you recall if you saw blood of any sort
7 whether it be from inmate Dublino or somebody else?

8 A. I do not recall seeing blood.

9 Q. And in this photograph Deposition Exhibit H
10 is it fair to say he does not have handcuffs on?

11 A. Correct.

12 Q. Do you recall who took the handcuffs off for
13 purposes of taking this picture?

14 A. I don't recall.

15 Q. Would that be something though typically that
16 either you or Deputy Gelster would have done?

17 A. Yes.

18 Q. So generally not the responsibility of
19 medical staff to do that I'm assuming?

20 A. No.

21 Q. And you may have answered this and I
22 apologize if I ask you again.

23 Do you recall Dublino saying -- Dublino saying
24 anything while these photos were being taken?

25 A. I do not recall.

1 P. Giardina - Examination by Mr. Modica

2 MR. MODICA: Okay. I believe that's all that
3 I have.

4 Erin, I don't know if you have anything for
5 the witness.

6 MS. MOLISANI: No questions.

7 MR. MODICA: Terrific. So, Deputy Giardina,
8 I appreciate your cooperation. Thank you very much.

9 MS. MOLISANI: Thank you. Have a good one.

10 THE WITNESS: Thank you.

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P. Giardina - Examination by Mr. Modica

REPORTER CERTIFICATE

I, Shari L. Vitalone, do hereby certify that I did
report in stenotype machine shorthand the proceedings
held in the above-entitled matter;

Further, that the foregoing transcript is a true
and accurate transcription of my said stenographic
notes taken at the time and place hereinbefore set
forth.

Dated 07/7/2021

at Rochester, New York

s/ Shari L. Vitalone

Shari L. Vitalone

P. Giardina - Examination by Mr. Modica

WITNESS CERTIFICATE

ORIGINAL

STATE OF)

COUNTY OF)

I, Peter Giardina, do hereby certify that I have read the transcript of my testimony as taken under oath on Friday, June 11, 2021, and that said transcript is a true, complete and correct record of what was asked, answered and said during said deposition, and that the answers on record therein, and as may be modified in conformity with the attached errata sheet, are true and correct.

Subscribed and sworn to before me

this _____ day of _____, 2021

Notary Public

1 P. Giardina - Examination by Mr. Modica

2 In the Matter of:

MARK T. DUBLINO

3 Plaintiff

-vs-

4 SGT. JUSTIN BIEGAJ, SGT. ROBERT DEE,

DEPUTY BRIAN THOMPSON, DEPUTY FRANK

5 GELSTER, SGT. MR. CROSS, SGT. MR. ROBINSON,

DEPUTY MR. P. GIARDINA, DEPUTY SHAWN WILSON

6 Defendants

Civil Action No. 6:19-cv-6269-DGL

7

8 Errata sheet for the deposition of Peter Giardina taken

9 on Friday, June 11, 2021

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